penalty imposed by the first section of that Act shall not extend to relieve him from such liability in case he shall make use of any oil in the manufacture of roll tobacco other than essential oil for the purpose of flavouring, and olive oil in the process of spinning and rolling up the tobacco. to use of oil in tobacco.

The word "oil" in section four of the said Act shall be read as meaning olive oil and essential oil only.

SCHEDULE referred to in Section 14.

Column No. 1. Sections of the Customs Act, 1879.	Column No. 2. Order and place of incorporation in the Customs Consolidation Act, 1876.	
Section 6 -	In lieu of section 63 of the Customs Consolidation Act, 1876	Repealed by this Act.
„ 7 -	„ „ 120 „ „ -	„ „
„ 8 -	„ „ 138 „ „ -	„ „
„ 9 -	„ „ 144 „ „ -	„ „
„ 10 -	„ „ 188 „ „ -	„ „
„ 11 -	„ „ 218 „ „ -	„ „
„ 12 -	„ „ 237 „ „ -	„ „
„ 13 -	„ „ 278 „ „ -	„ „

CHAPTER 22.

An Act for more effectually providing for the Prosecution of Offences in England, and for other purposes.

[3d July 1879.]

WHEREAS it is expedient to provide more effectually for the prosecution of offences in England, and for other purposes:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Prosecution of Offences Act, 1879. Short title.

2. A Secretary of State may from time to time appoint an officer to be called the Director of Public Prosecutions, with such salary, not exceeding two thousand pounds per annum, as he may, with the consent of the Treasury, fix. Appointment and duty of Director of Public Prosecutions.

It shall be the duty of the Director of Public Prosecutions, under the superintendence of the Attorney General, to institute, undertake, or carry on such criminal proceedings (whether in the Court for Crown Cases Reserved, before sessions of Oyer and Terminer or of the Peace, before magistrates, or otherwise), and to give such advice and assistance to chief officers of police, clerks to justices, and other persons, whether officers or not, concerned in any criminal proceeding respecting the conduct of that proceeding, as may be for the time being prescribed by regulations under this Act, or may be directed in a special case by the Attorney General.

The regulations under this Act shall provide for the Director of Public Prosecutions taking action in cases which appear to be of

importance or difficulty, or in which special circumstances, or the refusal or failure of a person to proceed with a prosecution, appear to render the action of such Director necessary to secure the due prosecution of an offender, and shall also fix the areas or districts for which the assistants of such director shall respectively be appointed and act.

Establishment of office of Director of Public Prosecutions.

3. A Secretary of State may from time to time appoint such assistants, not exceeding six, as may, with the sanction of the Treasury, seem necessary for the proper execution of his duties by the Director of Public Prosecutions, and may assign them their duties. And the Attorney General, with the approval of a Secretary of State, may from time to time appoint such clerks, messengers, and servants as may, with the sanction of the Treasury, seem necessary for the proper execution of his duties by the Director of Public Prosecutions, and may assign them their duties.

There shall be paid to such assistants, clerks, messengers, and servants such salaries or remuneration as may be from time to time fixed by the Attorney General, with the approval of a Secretary of State and the consent of the Treasury.

The said salaries and remuneration, and the salary of the Director of Public Prosecutions, and all expenses incurred in the execution of the duties of that Director, shall be paid out of moneys provided by Parliament.

No Assistant Director of Public Prosecutions shall be appointed for any longer term than seven years; but any person vacating his office by reason of this provision may be re-appointed.

Qualification of Director of Public Prosecutions and of assistants.

4. A person appointed to be the Director of Public Prosecutions, or to be an assistant of such Director, shall be either a barrister-at-law or a solicitor of the Supreme Court of Judicature, and shall be in the case of the Director in actual practice and of not less standing than ten years, and in the case of an assistant in actual practice and of not less standing than seven years.

Neither the Director of Public Prosecutions nor any assistant of such Director shall directly or indirectly practise in their profession except in the discharge of their duties under this Act.

Delivery of recognizances, inquisitions, &c. to Director of Public Prosecutions.

5. Where the Director of Public Prosecutions gives notice to any justice or coroner that he has instituted, or undertaken, or is carrying on any criminal proceeding, such justice and coroner shall at the time and in the manner prescribed by the regulations under this Act, or directed in any special case by an order of the Attorney General, transmit to the said Director every recognizance, information, certificate, inquisition, deposition, document, and thing which is connected with the said proceeding, and which the justice or coroner is required by law to deliver to the proper officer of the court in which the trial is to be had, and the said Director shall, subject to the regulations under this Act, cause the same to be delivered to the said proper officer of the court, and shall be under the same obligation, on the same payment, to deliver to an applicant copies thereof as the said justice, coroner, or officer.

It shall be the duty of every clerk to a justice or to a police court to transmit, in accordance with the regulations under this Act, to the director of Public Prosecutions, a copy of the information and of all depositions and other documents relating to any case in which

a prosecution for an offence instituted before such justice or court is withdrawn or is not proceeded with within a reasonable time.

A failure on the part of any justice or coroner to comply with this section shall be deemed to be a failure to comply with the said requirement to deliver to the proper officer of the court, and any clerk to a justice or to a police court failing to comply with this section shall be liable to the same penalty to which a justice or coroner is liable for such failure as aforesaid.

If Director abandon prosecution aggrieved parties may proceed.

6. Where any criminal proceeding has been instituted or undertaken by the Director of Public Prosecutions, any person having the right to institute and carry on such proceedings may, if he have good cause for so doing, show, by affidavit to any Judge of the High Court of Justice, that such Director of Public Prosecutions has abandoned such proceedings, or has neglected duly to carry on the same, and such Judge, after hearing such Director of Public Prosecutions, may give such directions as to the mode in which such proceedings shall be continued by such person so applying, or by the said Director of Public Prosecutions, as to such Judge shall appear right.

Saving as to private prosecutors, and binding over persons to prosecute.

7. Nothing in this Act shall interfere with the right of any person to institute, undertake, or carry on any criminal proceeding.

Where any criminal proceeding is instituted, undertaken, or carried on by the Director of Public Prosecutions, such Director shall not be bound over to prosecute or conduct such proceeding, or required to give security for costs, and it shall not be necessary to bind over any person to prosecute or conduct such proceeding, and if any person is so bound over, or has given security for costs, he shall, upon the Director of Public Prosecutions undertaking the case, be released from such obligation, and the security shall be deemed to have been cancelled, and the Director of Public Prosecutions shall be liable to costs in lieu of such person.

The prosecution of an offender by the Director of Public Prosecutions shall, for the purpose of enabling a person to obtain a restitution of property, or obtaining, exercising, or enforcing any right, claim, or advantage whatsoever, have the same effect as if such person had been bound over to prosecute and had prosecuted the offender, subject to this proviso, that such person shall give all reasonable information and assistance to the said Director in relation to the prosecution.

Regulations may be made, &c., and to be laid before Parliament.

8. The Attorney General, with the approval of the Lord Chancellor and a Secretary of State, may from time to time make, and when made rescind, vary, and add to, regulations for carrying into effect this Act.

The draft of all such regulations proposed to be approved as aforesaid shall be laid before both Houses of Parliament and shall not be finally approved as aforesaid until the draft has lain before each House of Parliament for not less than forty days upon which such House has sat.

Interpretation.

9. In this Act, unless the context otherwise requires, the following terms have the meanings herein-after respectively assigned to them; that is to say,

The term "the Treasury" means the Commissioners of Her Majesty's Treasury:

The term "Secretary of State" means one of Her Majesty's Principal Secretaries of State:

The term "person" includes a body of persons corporate or unincorporate:

The term "Attorney General" means Her Majesty's Attorney General for England, and Her Majesty's Solicitor General for England whenever such Solicitor General can by reason of a vacancy in the office of Attorney General or otherwise act as the Attorney General.

Commencement of Act.

10. This Act shall come into operation on the first day of January one thousand eight hundred and eighty, which day is in this Act referred to as the commencement of this Act.

CHAPTER 23.

An Act to provide for the Preservation of Hares in Ireland.

[3d July 1879.]

WHEREAS hares form an important article of food, and have of late years greatly decreased in number in Ireland by reason of their being inconsiderately slaughtered, and owing to their marketable value it is important to provide for their protection during the breeding season:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Hares Preservation (Ireland) Act, 1879.

Extent of Act.

2. This Act shall extend only to Ireland.

Close time for hares.

3. Any person who shall wilfully kill, wound, or attempt to kill or wound, or take any hare or leveret, or use any gun, net, snare, or dog for the purpose of killing, wounding, or taking any hare or leveret, or shall have in his possession any hare or leveret killed, wounded, or taken between the twentieth day of April and the twelfth day of August in any year shall, on conviction of any such offence before any justice or justices of the peace, forfeit and pay for every such hare or leveret taken, wounded, killed, or attempted to be killed, wounded, or taken, or in his possession such sum of money not exceeding one pound as to the said justices shall seem meet, together with the costs of conviction.

Lord Lieutenant may vary close time.

4. The Lord Lieutenant, on the application of the grand jury of any county, may vary the time of such prohibition in any county, such order to be published in a paper circulating in said county, and in the Dublin Gazette.

Prosecution of offences. 14 & 15 Vict. c. 90.

5. Every offence under this Act may be prosecuted in a summary manner, and every penalty imposed under this Act shall be applied in the manner directed by the Fines Act (Ireland), 1851, and any Act amending the same.